

REMARKS

Claims 1-11, 13-30, and 33-43 are pending after the amendments.

The examiner objected to the drawings as not meeting the formal guideline of the lines being uniformly thick. Applicant will submit formal drawings after an indication that the claims are allowable. It is believed to be an unnecessary requirement for Applicant to submit formal drawings at this stage, and such a requirement at this stage in the prosecution is inconsistent with Applicant's attorney's experience.

THE FINALITY OF THE REJECTION SHOULD BE WITHDRAWN

MPEP 706.07(b) states that a first Office Action in a continuing application may not be made final where "all claims of the new application (1) are drawn to the same invention claimed in the earlier application, and (2) would have been properly finally rejected **on the grounds and art of record** in the in the next Office action if they had been entered in the earlier application." In the present case, the amendments made in the RCE continuation application **overcame** the main reason for why Cristina Marks rejected the claims in the original application, as explained below.

In Examiner Marks' Advisory Action, summarizing a key point of contention in the office actions, she wrote:

Specifically, the Examiner respectfully disagrees with the Applicant's argument that the attract mode of Brossard does not constitute operation of the gaming machine. The attract mode is a specific stage of operation just as regular mode and bonus mode are.

In direct response to Examiner Marks' ground for rejection, in the continuation application, Applicant amended Claim 1 to specifically preclude the operating mode from covering an attract mode. Claim 1 was amended to include the phrase, "during operation being a time when the gaming system is actively being played." It is respectfully submitted that it is quite unfair for one examiner to make the issue of "attract mode" vs. "operation mode" a key ground for rejection and then, after overcoming the key ground for rejection by an amendment in a continuation application, a different examiner rejects the claims in a final Office action on a different ground in a first Office action.. Applicant has been blindsided

by this approach. Now that the "attract mode" issue was resolved by the amendment, a new ground of rejection must necessarily occur to reject the claims. Applicant has not had an opportunity to respond to the new ground for rejection.

Accordingly, the finality of the Office action was improper and unfair to the Applicant.

REMARKS TO OVERCOME REJECTION

The examiner rejected Claim 25 under 35 USC 112 as having only a single step. Claim 25 has been amended to have multiple steps, so the rejection has been overcome.

Amended Claim 25 includes the operation of the lamps when the gaming machine is part of a linked system of gaming machines. The operation of the lamps in linked machines was presented in cancelled Claims 21 and 22. The examiner rejected Claims 21 and 22 as being unpatentable over Brossard (U.S. Pat. No. 6,302,790) further in view of Forbes (U.S. Pat. No. 6,043,615) and further in view of Walker (U.S. Pat. No. 6,328,648). Walker was cited for teaching linked gaming machines.


Claim 25 includes the limitation: "selectively illuminating the lamps of the linked gaming machines in a coordinated manner to indicate to players that the gaming machines are linked and share a common feature." This is a functional feature that identifies to the players those particular linked gaming machines that share a common feature, such as a jackpot or a common competitive game. No art cited in this case suggests any visual coordination of light displays in linked gaming machines for performing the function of indicating the particular machines are linked and share a common feature.

Accordingly, Claim 25 and its dependent Claims 26-30 and 33-43 are allowable.

In view of the above arguments, Applicant respectfully requests allowance of all pending claims. Should the Examiner have any questions, the Examiner is invited to call the undersigned at (408) 382-0480 ext. 202.

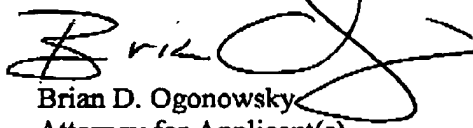
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 11/24/04

Attorney for Applicant(s) Date of Signature

Respectfully submitted,


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